

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450



24197

19720 U.S. PTO  
10/615897



**Transmitted herewith for filing is the plant patent application of:**

**Inventor(s):** David C.H. Austin

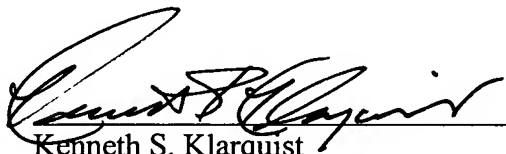
**For:** SHRUB ROSE PLANT NAMED 'AUSBITE'

**Enclosed are:**

- ☒ Plant patent application, including Combined Declaration and Power of Attorney (in duplicate).
- ☒ One (1) sheet(s) of drawings (in duplicate).
- ☒ An assignment of the invention to David Austin Roses Limited is enclosed, and applicant requests that this information be listed on the published application. An Assignment Recordation Cover Sheet is also enclosed (Recordation Fee \$40.00)
- ☒ Request for Non-Publication and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
- ☒ Total filing fee: \$520.00 large entity.
- ☒ A check in the amount of \$560.00 to cover ☒ filing fee and ☒ assignment recordal fee is enclosed. ☒ Request for Non-Publication and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
- ☒ The Director is hereby authorized to charge any additional fees that may be required in connection with the filing of this application and recording any assignment filed herewith, or credit overpayment, to Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By   
Kenneth S. Klarquist  
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cc: Docketing

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David C.H. Austin

For: SHRUB ROSE PLANT NAMED 'AUSBITE'

Examiner: --

Art Unit: --

Date: July 8, 2003

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**REQUEST FOR NON-PUBLICATION AND CERTIFICATION UNDER**

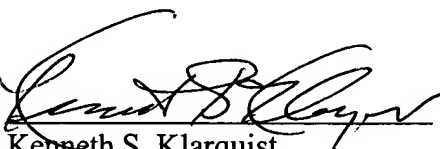
**35 U.S.C. § 122(b)(2)(B)(i)**

This request is signed in compliance with 37 CFR § 1.33(b) and is submitted with the application **upon filing**. I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. § 122(b). Plant Breeder's Rights applications for the rose variety AUSBITE has been filed in the United Kingdom and applications for Plant Breeder's Rights may be filed in other countries. It is the understanding of the undersigned that no country "requires" publication of such an application eighteen months after filing, although each country does provide for publication of the application or notice thereof at some time during the pendency of the application.

Dated: July 8, 2003

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

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